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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,700	09/22/2000	Joachim Kim	44400.010100	2337
33893	7590	06/04/2008	EXAMINER	
JLB CONSULTING, INC. c/o INTELLEVATE P.O. BOX 52050 MINNEAPOLIS, MN 55402			USTARIS, JOSEPH G	
			ART UNIT	PAPER NUMBER
			2623	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/668,700	KIM, JOACHIM	
	<b>Examiner</b>	<b>Art Unit</b>	
	JOSEPH G. USTARIS	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 19 February 2008.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 75-78 and 86-89 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 75-78 and 86-89 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 15 November 2004 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 75-78 and 86-89 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

2. Claims 75-78, 88, and 89 are objected to under 37 CFR 1.75.

Claim 75 recites the limitation "said storage manager" in line 12. There is insufficient antecedent basis for this limitation in the claim. The examiner suggests using --said storage managing unit--.

Claim 88 recites the limitation "said media block identifier" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 89 recites the limitation "said media content identifier" in line 1. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 75-78 and 86-89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ottesen et al. (US005930493A) in view of Jain et al. (US006360234B2).

Regarding claim 75, Ottesen et al. (Ottesen) discloses a transformer (See Fig. 3, 30) comprising:

a converter (See Fig. 3, 33) including an input for receiving media content (multimedia programs) (See col. 7 lines 25-67), said converter providing:  
at least one media block (video segment) comprising at least a portion of said media content (See Figs. 5 and 6; col. 9 lines 25-45), and  
at least one media content identifier (unique segment address) (See col. 9 line 60 – col. 10 line 10);  
a storage managing unit (See Fig. 3, 40) coupled to said converter to receive said at least one media block and media content identifier,  
said storage manager providing a storage address (address table) for said at least one media block (See col. 10 lines 1-3);  
a translator (See Fig. 3, 40; wherein the unit 40 serves the function of the translator) configured to relate said storage address to said media content identifier (e.g. mapping the physical storage location to the unique segment address) (See col. 9 line 60 – col. 10 line 10);  
said transformer thereby enabling retrieval of stored media content based upon said media content identifier (See Fig. 3; col. 9 line 60 – col. 10 line 10).

However, Ottesen does not explicitly disclose that the media content identifier comprises a description of content of said at least one media block and that the transformer retrieves the store media content in response to receiving a description of stored media content to be retrieved.

Jain et al. (Jain) discloses a video cataloger system that is able to store and retrieve videos. Jain discloses a media content identifier (e.g. digital video asset ID) that comprises a description of content of said at least one media block (See Figs. 6 and 7; e.g. metadata that describes the content associated with the digital video asset ID) (See col. 5 line 51 – col. 7 line 18) and that the transformer retrieves the store media content in response to receiving a description of stored media content to be retrieved (See Figs. 6 and 7; abstract, col. 1 lines 46-62, and col. 2 lines 8-30; the user uses the metadata to access any segment of the video). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system disclosed by Ottesen to have the media content identifier comprise a description of content of said at least one media block and have the transformer retrieve the store media content in response to receiving a description of stored media content to be retrieved, as taught by Jain, in order to provide the user the ability to find the right piece of video instantly and effortlessly (See col. 1 lines 46-62).

Regarding claim 76, said converter (See Ottesen Fig. 3, 33) input is coupled to at least one encoder (See Ottesen Fig. 3, 32) providing encoded digital media content (See Ottesen col. 7 lines 25-67 and col. 9 lines 26-30) from a digital media source (See Jain col. 3 lines 48-52; Jain discloses digital media sources, e.g. digital tape deck and

laser disc player), said transformer enabling retrieval of media blocks based on said associated media content identifiers regardless of encoder output format (See Jain col. 5 lines 52-63; the encoders encodes the video and provides the system with digital video asset ID. The cataloger is generic with respect to the encoding therefore the system is able to retrieve the video based on the digital video asset ID and metadata regardless of the encoding used by the encoder).

Regarding claim 77, said media content identifier comprises metadata (See Jain Figs. 6 and 7; col. 5 line 51 – col. 7 line 18) selected from the group comprising start time (See Jain col. 5 line 62), end time, program (See Jain col. 6 line 56; title), availability, and duration.

Regarding claim 78, wherein at least one of said portions of media content comprises a single frame (e.g. keyframe 340, 342, 344, etc.) of said media content and wherein said single frame is retrievable from storage based on said associated media content identifier (See Jain Figs. 6 and 7; abstract, col. 1 lines 46-62, col. 2 lines 8-30, and col. 5 line 51 – col. 7 line 18; the user is able to retrieve the keyframe using the digital video asset ID and metadata).

Claim 86 contains the limitations of claim 75 and is analyzed as previously discussed with respect to that claim. Ottesen in view of Jain discloses a network (See Ottesen Figs. 2-3) comprising:

at least one distribution server (See Ottesen Fig. 3, 30) coupled to at least one data storage device (See Ottesen Fig. 3, 40), the distribution server adapted to retrieve at least one media content block (See Ottesen Figs. 5 and 6) from said at least one

storage device based upon a description of stored media content (See Jain Figs. 6 and 7; abstract, col. 1 lines 46-62, and col. 2 lines 8-30; the user uses the metadata, wherein the metadata describes the content, to access any segment of the video).

Claim 87 contains the limitations of claim 75 and is analyzed as previously discussed with respect to that claim. Ottesen in view of Jain discloses a method for storing media (multimedia programs) comprising steps of:

receiving media content to be stored (See Ottesen Fig. 3; col. 7 lines 25-67);  
converting at least a portion of said media content to at least one media block (video segment) (See Ottesen Figs. 5 and 5; col. 9 lines 25-45);  
providing at least one media content identifier (unique segment address/digital media asset ID with metadata) associated with content of said at least one media block (See Ottesen col. 9 line 60 – col. 10 line 10 and Jain Figs. 6 and 7; e.g. metadata that describes the content associated with the digital video asset ID; Jain col. 5 line 51 – col. 7 line 18);

storing said media blocks (See Ottesen Fig. 3; col. 9 lines 57-60);  
thereby enabling retrieval of stored media blocks based upon media content (See Jain Figs. 6 and 7; abstract, col. 1 lines 46-62, and col. 2 lines 8-30; the user uses the metadata, wherein the metadata describes the content, to access any segment of the video).

Regarding claim 88, wherein said media block identifier comprise at least one of a filename, metadata (See Jain Figs. 6 and 7; col. 5 line 51 – col. 7 line 18; e.g.

metadata that describes the content associated with the digital video asset ID) and text (See Jain col. 6 lines 39-47).

Claim 89 contains the limitations of claims 86 and 88 and is analyzed as previously discussed with respect to those claims.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH G. USTARIS whose telephone number is

(571)272-7383. The examiner can normally be reached on M-F 7:30-5 PM; Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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